

ATTORNEY CONFIDENTIAL

Intel Corporation
4500 S. Dobson Road, MS: OC2-157
Chandler, AZ 85248

Intel Legal Team

Fax

RECEIVED
CENTRAL FAX CENTER

JUN 28 2006

Page 1 of 6

Urgent

Confidential

Date: June 28, 2006

To:
Examiner: Syed J. Ali
USPTO

Fax:
(571) 273-8300

Art Unit:
2127

From:
Stuart A. Whittington
Intel Corporation

Fax:
480-715-7738

M/S:

Subject: Application No.: 10/017,047 Docket #: 42390P12401
Filed: 12/13/2001 Inventor: Matthew A. Hayduk

A CONFIRMATION COPY OF THIS DOCUMENT:

WILL NOT BE SENT

I hereby certify that the below listed correspondence is being facsimile transmitted to the
USPTO to: Mail Stop: PETITION, Commissioner for Patents, Washington DC 20231 on
June 28, 2006.

Lisa M. Hopkinson

Date: June 28, 2006 **Included in this transmission:**

Fax Cover Sheet (1 page)
Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR
1.137(b) (2 pages)
Fee Transmittal Form (1 page submitted in duplicate)
Copy of Notice of Appeal Filed May 1, 2006 (1 page)

Important Notice

This information is intended to be for the use of the individual or entity named on this transmittal sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify the sender by telephone immediately so that arrangements can be made for the retrieval of the original document at no cost to you.

JUN 28 2006

PTO/58/94 (10-05)

Approved for use through 07/31/2006. OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) 42300.P12401
First named inventor: Heyduk, Mathew A.		
Application No.: 10/017,047		Art Unit: 2127
Filed: December 13, 2001		Examiner: Ali, Syed J.
Title: COMPUTING SYSTEM CAPABLE OF REDUCING POWER CONSUMPTION BY DISTRIBUTING EXECUTION OF INSTRUCTION ACROSS MULTIPLE PROCESSORS AND METHOD THEREOF		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-6300		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items:		
(1) Petition fee;		
(2) Reply and/or issue fee;		
(3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and		
(4) Statement that the entire delay was unintentional.		
1. Petition fee		
<input type="checkbox"/> Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.		
<input checked="" type="checkbox"/> Other than small entity - fee \$ 1500 _____ (37 CFR 1.17(m))		
2. Reply and/or fee		
A. The reply and/or fee to the above-noted Office action in _____ (identify type of reply): the form of Notice of Appeal		
<input checked="" type="checkbox"/> has been filed previously on May 1, 2006 a copy of which _____.		
<input checked="" type="checkbox"/> is enclosed herewith.		
B. The issue fee and publication fee (if applicable) of \$ _____.		
<input type="checkbox"/> has been paid previously on _____.		
<input type="checkbox"/> is enclosed herewith.		

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(p). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9109 and select option 2.

07/03/2006 AMONDAF1 00000014 500221 10017047

01 FC:1453 1500.00 DA

PAGE 2/6 * RCVD AT 6/28/2006 6:57:30 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-2/2 * DNIS:2738300 * CSID:480 715 7738 * DURATION (mm:ss):02:16

Copied from 11017047 on 10/27/2006

PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Lanny L. Parker
Signature

June 28, 2006
Date

Lanny L. Parker
Typed or printed name

44,281
Registration Number, if applicable

4500 S. Dobson Road
Address

480-715-5368
Telephone Number

CHANDLER, AZ 85248
Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Copy of Notice of Appeal filed on May 1, 2006 (1 page)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate

PTO/S&17 (01-06)

Approved for use through 07/31/2006, OMB 0551-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

FEE TRANSMITTAL For FY 2006		Complete if Known	
		Application Number	10/017,047
		Filing Date	12/31/2001
		First Named Inventor	MATHEW A. HAYDUK
		Examiner Name	ALI, SYED J.
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	2127
TOTAL AMOUNT OF PAYMENT (\$) 1,500.00		Attorney Docket No.	42390P12401

 RECEIVED
 CENTRAL FAX CENTER
 JUN 28 2006
METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 50-0221 Deposit Account Name: INTEL CORPORATION

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2835.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
---------------------	---------------------	-----------------	-----------------------

_____ - 20 or HP = _____ x _____ = _____	
--	--

HP = highest number of total claims paid for, if greater than 20.			
Indep. Claims	Extra Claims	Fee (\$)	Fees Paid (\$)

_____ - 3 or HP = _____ x _____ = _____	
---	--

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
---------------------	---------------------	---	-----------------	-----------------------

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____	
---	--

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Fee Code 1453-37 CFR 1.17(m) - Petition to review unintentional _____ **1,500.00**

SUBMITTED BY		
Signature	Registration No. 44,281	Telephone 480-715-5388
Name (Print/Type) LANNY L. PARKER		Date JUN 28, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/01 (04-05)

Approved for use through 07/31/2006. OMB 0551-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 42390.P12401	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)) on <u>5/11/2006</u>		In re Application of Hayduk, Mathew A.	
Signature 		Application Number 10/017,047	Filed 12/13/2001
Typed or printed name <u>STUART A. WHITTINGTON</u>		For Computing System Capable of Reducing Power...	
		Art Unit 2195	Examiner Ali, Syed J.
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ 500	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2036 is attached.			
<input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0221</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-3038.			
I am the			
<input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/06)			
<input type="checkbox"/> attorney or agent of record. Registration number _____			
<input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>45,215</u>			
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> Total of _____ forms are submitted.			

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.16 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-0198 and select option 2.

RECEIVED
CENTRAL FAX CENTER

JUN 28 2006